



City of Caribou, Maine

AGENDA Caribou City Council Regular City Council Meeting 7:00 P.M. Monday, October 28, 2013 Caribou City Council Chambers

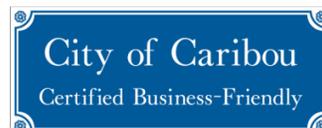
*Municipal Building
25 High Street
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www.cariboumaine.org*

1. Public Input
2. Declaration of Conflicts of Interest from the City Council regarding any agenda item.
3. Consider authorizing the minutes of the following meetings:
 - a) October 15, 2013 Council Meeting 2-6
 - b) October 16, 2013 Council Workshop 7-8
4. Consent Agenda
 - a) Approval of 2012 Financial Audit
5. An Ordinance regarding Seasonal Certificates of Occupancy for Mobile Homes 9-11
6. Livestock Ordinance 12-13
7. Introduction of Chamber of Commerce Ordinance 14-15
8. Zoning modifications 16-17
9. Other Business
10. Executive session pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(D) to discuss Labor Negotiations with Police Benevolent Association Local 605.

Upcoming Meeting Dates:

Regular City Council Meeting, Tuesday, November 12, 2013 at 7:00 p.m. (Due to Veteran's Day)

Regular City Council Meeting, November 25, 2013 at 7:00 p.m.



A regular meeting of the Caribou City Council was held 7:00 p.m. on Tuesday, October 15, 2013 in Council Chambers with the following members present: Mayor Gary Aiken, Deputy Mayor Kenneth G. Murchison, David Martin, Philip McDonough II, Joan L. Theriault, and David R. Genthner, Sr. Aaron P. Kouhoupt was absent.

Austin Bleess, City Manager and Tony Mazzucco, Assistant City Manager were present.

Department Manager: David Ouellette, Public Works Director; Scott Susi, Fire Chief; William Tasker, Chamber of Commerce Director; and Kathleen Mazzuchelli, Supt. of Parks & Recreation.

Time Warner covered the meeting.

Council Agenda Item #1: Public Input

- Robert Kerber, Vice-President of the Caribou Snowmobile Club–spoke about the economic impact of the snowmobile trails. Nine years ago, Mr. Kerber with his wife moved to Caribou primarily for the superbly groomed trails.
Economic Impact: An initial impact study done by the University of Southern Maine for the Maine Snowmobile Association showed that snowmobiling supported 96 jobs in Caribou and contributed \$3.5 million during a 12 week season. The most recent study has it at \$3.0 million for a 12 week season. He spoke in favor of the City authorizing the purchase of a new groomer and drag.

Agenda Item #2: Declaration of Conflicts of Interest from the City Council regarding any agenda item.

None

Council Agenda Item #3: Consider authorizing the minutes of the following meetings:

- a) September 8, 2013 Council Meeting
- b) September 16, 2013 Council Workshop
- c) October 7, 2013 Special Council Meeting

Motion made by J. Theriault, seconded by P. McDonough, to accept the minutes of the September 16, 2013 Council Workshop and October 7, 2013 Special Council Meeting as presented and September 8, 2013 Council Meeting as presented with an amendment to Council Agenda Item #6 Charter Amendments: Proposed Charter Amendment #3 to add “*and Councilor Genthner*” after Councilor Kouhoupt. (5 yes) So voted.

Council Agenda Item #4: Consent Agenda

- a) August 2013 Caribou Police Department Report
- b) September 2013 Caribou Police Department Report
- c) September 2013 Caribou Fire and Ambulance Department Report
- d) Approval of September Financials
- e) 2013 Election
- f) Approval of Quit Claim Deeds

Motion made by P. McDonough, seconded by K. Murchison, to approve the Consent Agenda with Business items A, B, C, D, E, & F as presented. (5yes) So voted.

Council Agenda Item #5: City owned parking lots

Administration has been working with abutting property owners to determine their interest, if any, in purchasing adjacent parking lots. Mr. St Peter has expressed interest in acquiring the lot next to the Caribou Business Office Park. He has presented five conditions including no increase in valuation for ten years and the removal of 10,188 square feet of hot top. Mr. Collins is considering purchasing the property abutting to his property. Mr. Fern is willing to purchase the parking lot on Water Street for a dollar. The American Legion could take their lot if necessary. Council discussion.

Motion made by K. Murchison, seconded by P. McDonough, to sell the Water Street parking for a dollar to Mr. Fern, to continue negotiations with Mr. Collins, and to take no action with the remaining parking lots. (4 yes, 1 no, D. Martin) So voted.

Council Agenda Item #6: Property Maintenance Ordinance

7:22 p.m. Public Hearing Opened.

No input from the public. Council asked whether local contractors and suppliers had received any education on the proposed ordinance.

7:26 p.m. Public Hearing Closed.

Motion made by K. Murchison, seconded by D. Genthner, to table until January, which would allow Administration time to educate local contractors with the proposed property maintenance ordinance. (3 yes, J. Theriault, D. Genthner, K. Murchison, 3 no, D. Martin, P. McDonough, G. Aiken) Motion Failed.

Motion made by D. Martin, seconded by P. McDonough, to adopt the ordinance and for it to be effective January 1, 2014 plus for there to be an education opportunity concerning the ordinance for local contractors. (5 yes) So voted.

Council Agenda Item #7: Introduction of Livestock Ordinance

The Board Planning has developed this ordinance as a result of issues in some parts of the R-3 Zone where houses are located near each other and there is livestock on the property thus presenting some serious health concerns.

First Read: Councilor K. Murchison introduced Ordinance No. 13, 2013 Series, An Ordinance amending Section 13-700 of Chapter 13 Land Use Ordinance – An ordinance regarding Livestock in the R-3 Zone.

Assistant Manager Mazzucco answered questions.

Council Agenda Item #8: Introduction or Ordinance regarding Seasonal Certificates of Occupancy for Mobile Homes

The Planning Board developed the proposed ordinance after the Council approved a Consent Agreement with Emerald Valley Ranches, LLC that allowed a pre-1976 mobile home to be occupied seasonally by giving a waiver for the roof load requirements in the City Ordinance.

First Read: Councilor D. Martin introduced Ordinance No. 14, 2013 Series, An Ordinance amending Section 13-740 of Chapter 13 Land Use Ordinance – An ordinance regarding Seasonal Certificates of Occupancy for Mobile Homes.

Council Agenda Item #9: Purchase of vehicles for Fire/Ambulance Department

Chief Susi addressed the Council requesting their approval to purchase a new command vehicle. The current vehicle is slated to be replaced in 2014. Delivery on a new vehicle would be approximately 90 days after it is ordered. Staff has received quotes on new vehicle costs and is recommending the purchase of a 2014 F-150 Supercrew 4X4 STX package 201a from Griffeth Ford. The \$30,950 price include a \$550 sport package that upgrades the wheels, tires, adds carpeting, trailer towing, soft tonneau cover, and truck bed tray. The original selling price of \$39,000 was eligible for government discounts reducing it to \$30,950.

Through networking and working with area fire chiefs, Chief Susi has been able to acquire an additional \$22,500 through the sale of an ambulance to the City of Calais. Money from the sale will be receipted into the reserve line from which the proposed vehicle purchase would come from. By using the money from the sale of the ambulance, only \$4,550 will need to be used from the reserve line resulting in an approximate saving of \$20,000. The current vehicle used by the Chief has approximately 120,000 miles.

Chief Susi answered Councilors' questions regarding radios, possible use of former police cruisers, miles on current vehicle used by the Chief, cost of the sport package, how the City obtains quotes, the hauling of the trailer, and why does the Chief need the use of a vehicle.

Motion made by K. Murchison, second by D. Genthner to authorize the Chief and the City Manager to move forward with the purchase of a 2014 F-150 Supercrew to be used as a command vehicle. (3 yes, J. Theriault, D. Genthner, K. Murchison, 3 no, D. Martin, P. McDonough, G. Aiken) Motion Failed

Council Agenda Item #10: Approving Sale of Tax Acquired Properties

Motion made by P. McDonough, seconded by D. Martin, to sell four parcels to the highest bidders and to abate any taxes that are remaining. (4 yes, 1 no, K. Murchison) So voted.

Council Agenda Item #11: Putting Tax Acquired Properties out for bid

Motion made by P. McDonough, seconded by D. Martin, to place out to bid four parcels that previously did not receive any bids in order to get them back onto the property tax rolls as quickly as possible. (5 yes) So voted.

Council Agenda Item #12: Approval of Audit RFPs

Motion made by K. Murchison, seconded by D. Martin to accept the low bid for Audit services from Felch & Company of Caribou with 2013 price of \$15,000, 2014 price of \$15,500, and 2015 price of \$16,000. (5 yes)

Council Agenda Item #13: Snowmobile Trail Groomer

Supt. of Parks & Recreation Kathleen Mazzuchelli commented on the passing of Marvin Hedstrom of Caribou and what a loss this is to the snowmobile community. She noted that he had given an unbelievable number of volunteer hours over a five decade period. Last year, Mr. Hedstrom with Dwight Stickles received the *Spirit of Caribou* award. He will be missed.

During the last two years, groomer repairs have cost \$49,000. The recommendation to Council is to replace the 2003 groomer with a 4wd New Holland Tractor with a Soucy Track System.

Available Revenues:	G-1-382-00	\$139,839.34
	Snowmobile Club	<u>\$ 28,000.00</u>
Total Available Revenues:		\$167,839.34
Suggested Payment:	G-1-382-00	\$139,424.00
	Snowmobile Club	<u>\$ 28,000.00</u>
Total Purchase Price:		\$167,424.00 includes \$30,000 for trade-in

An application for Capital Equipment Grant will be submitted to the State. Historically the State has approved \$10,000 to \$25,000 for such grants. The grant award will be receipted into G-1-382-00.

Supt. Mazzuchelli answered Councilors' questions regarding the current John Deere tractors, Gilbert track system versus the Soucy track system, replacement date for the second groomer, whether a "change over" could occur rather than purchasing new, the state grant program, and the snowmobile club contribution amount.

Motion made by D. Martin, seconded by P. McDonough, to accept the quote from Crown Equipment for \$167,424 to purchase a New Holland Tractor with Soucy Track System. (5 yes) So voted.

Council Agenda Item #14: Other Business

Councilor Genthner requested that Council meetings start with the Pledge of Allegiance. Mayor Aiken approved the request.

Councilor Murchison extended condolences to the family of Marvin Hedstrom.

Councilor McDonough is unable to attend the October 16th workshop. The Mayor stated that this absence will be excused.

Council Agenda Item #15: Executive session pursuant to MRSA Title 1 Chapter 13, Section 405 (6)(C) to discuss Economic Development.

Time in 8:10 p.m. Motion made by K. Murchison, seconded by P. McDonough, to move to executive session pursuant to MRSA Title 1 Chapter 13, Section 405(6)(C) to discuss Economic Development. (5 yes) So voted.

Time out 8:37 p.m.

Motion made by D. Martin, seconded by P. McDonough, to approve development agreement with Troy Haney DBA Haney Building Specialties as discussed in executive session. (5 yes) So voted.

Motion made K. Murchison, seconded by P. McDonough, to execute a lease at 60 Access Highway with County Bag LLC and allow them to complete the building modifications. (5 yes) So voted.

Meeting adjourned at 8:39 p.m.

Upcoming Meeting Dates:

Budget Workshop Meeting October 16, 2013 at 6:00 p.m.

Budget Workshop Meeting October 21, 2013 at 6:00 p.m.

Budget Workshop Meeting October 23, 2013 at 6:00 p.m.

Regular City Council Meeting October 28, 2013 at 7:00 p.m.

Jayne R. Farrin, Secretary

13-23 wksp.

A Public Forum Workshop meeting of the Caribou City Council was held 6:00 p.m. on Wednesday, October 16, 2013 in Council Chambers with the following members present: Mayor Gary Aiken, Deputy Mayor Kenneth G. Murchison, Jr., Joan L. Theriault, and David R. Genthner, Sr. Philip McDonough II was absent and excused. Aaron P. Kouhoup was absent.

Austin Bleess, City Manager, and Tony Mazzucco, Assistant City Manager.

Department Managers: David Ouellette, Public Works Director; Wanda Raymond, Finance Director; Michael W. Gahagan, Police Chief; Scott Susi, Fire Chief; Lisa Plourde, Housing Executive Director; Diane DuBois, Library Director; and William Tasker, Chamber of Commerce Director.

Attending: Paul Theriault, Jan Murchison, and Craig Staples.

Time Warner covered the meeting.

PUBLIC FORUM WORKSHOP

The Public Forum Workshops are a requirement of the 2012 City Charter. This change is to allow a better understanding of the budgets and to allow discussion between the Council, Department Managers, and the Public. Other Public Forum Workshops will be held October 21st and October 23rd.

From the adopted City Charter:

Expense Budget. 5.06 [a] (3) (ii) On or before November 1st: The City Manager will have each City Department Head present a written detailed Expense Budget Report to both the City Council and the City's citizens in a public forum where both the City Council and Caribou's citizens can ask questions and provide input to the City Manager and each Department Head.

Capital Expense Budget. 5.06 [b] (3) (ii) On or before November 1st: The City Manager will have each City Department Head present their written detailed Capital Expense Budget Report to both the City Council and Caribou's citizens in a public forum where both the City Council and Caribou's citizens can ask questions and provide input to the City Manager and each Department Head.

Mayor Aiken opened the Public Forum Workshop.

The proposed 2014 Capital Expense Budget was presented. All questions from the Council and members of the public were answered by the City Manager, Assistant City Manager, and the Department Managers.

- 30 Fire
- 31 Ambulance
- 85 Capital Expense
Accounts –Airport
Improvement, Airport
Reserve, Parking Lot
Reserve, Xmas Lights,
Street Lights, Downtown,
Slum and Blight Removal
- 10 General Government
- 18 Municipal Building
- 22 Tax Assessment
- 25 Library
- 35 Police
- 40 Public Works
- 50 Recreation
- 51 Parks Department
- 52 Snowmobile Trail
Maintenance
- Debt Reduction

It was suggested that a column with the current Reserve Balances be added to the Capital Expense Budget and in the future to project the budget forms so the television viewers will be able to follow along. Manager Bless reminded everyone that all budget materials are available on the Caribou website.

The 2013 Revised Capital Expense Budget totaled \$431,298 and 2014 Proposed Budget is \$757,313.

The 2014 Proposed Budget was presented by individual Department Managers and Manager Bless.

- 39 Emergency Management
- 35 Police Department
- 25 Library
- 40 Public Works
- 24 Housing
- 38 Protection
- 61 Trailer Park
- 65 Cemeteries
- 70 Insurance & Retirement
- 75 Contributions
- 80 Unclassified
- 12 Economic Development (TIF FUND)
- 60 Airport

As presented, the 2014 budget would have half of the City Manager's salary and the cost of Chamber of Commerce being paid with TIF monies as Economic Development. In 2013, the City captured approximately \$330,000 through the Downtown TIF and it is expected to capture \$382,000 in 2014. The Mayor wants a side by side comparison of the 2013 and 2014 Chamber budgets; additionally, the Mayor wants to see the Chamber becoming financially independent and separate from the City.

The 2013 approved Budget totaled \$8,684,251 and the 2014 proposed budget is \$9,749,209.

Workshop adjourned at 7:56 p.m.

Jayne R. Farrin, Secretary



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bless, City Manager
Date: October 28, 2013
Re: An Ordinance regarding Seasonal Certificates of Occupancy for Mobile Homes

This ordinance was introduced at our last meeting and the public hearing has been scheduled for tonight. At this time we should hold the public hearing.

Below are some comments that we received from Andy Ayer who is unable to attend this evening.

Per our recent conversation, I won't be in the area for the Public Hearing scheduled for October 28 regarding a change in the City's ordinances to accommodate a seasonal Certificate of Occupancy for mobile homes used in agriculture. Specifically, I have asked and the Planning Board has approved to modify Sec 13-740, 3, h to remove the provision that all roofs added after construction withhold a 70 sq. ft. snow load. This would apply to all mobile homes built before June 15, 1976. Interestingly enough, this ordinance applies to all mobile homes moved into the City and not to any existing mobile homes moved within the City. All other provisions of the ordinance regarding safety of occupants would stay. On August 19, 2013, the Council entered into a Consent Agenda to do just this for one unit previously located to our facility.

In the course of our business, we are required to provide our employees with housing from the April 15 to October 31. Many of our employees bring their families with them and require a family friendly structure. We have found that mobile homes are an economical, practical way of filling this need. As we expand and upgrade our housing located at 158 Caribou Lake Road, the ability to source pre 1976 units from outside the City would be a big help to our business. The fact that the units are only used during the summer months would preclude any safety concerns caused by roof failure. Simply put, we are willing to accept the risk of an off season collapse. None of our employees would be in danger.

Per Federal Regulations regarding the employment of migrant workers, the housing is inspected annually prior to occupancy by a qualified authority, in this case the City's Code Enforcement Officer. This insures that the units are clean, to code and equipped with working smoke/carbon dioxide alarms and fire extinguishers.

We go above and beyond to insure our employees have safe, comfortable, free housing. That's why we have a 95+% retention rate every year. This change would allow us to continue to expand and upgrade our facilities and continue to grow our business in Caribou. Please pass this on to the Council and thank them in advance for their consideration of my request. Thanks.

Andy Ayer
Emerald Valley Ranches, LLC
498 West Presque Isle Road, Caribou, Maine 04736

As Council will recall a few months back Council approved a Consent Agreement with Emerald Valley Ranches, LLC, Andy Ayer, to allow a pre-1976 mobile home to be occupied seasonally by giving a waiver for the Roof Load Requirements in the City Ordinance.

As part of this the Planning Board has done some work and is recommending the approval of the following ordinance regarding.

After the public hearing the Council may act on the Ordinance. The ordinance is on the next page.

Councilor _____ introduced the following ordinance:

Ordinance No. 14, 2013 Series
City of Caribou
County of Aroostook
State of Maine

AN ORDINANCE AMENDING SECTION 13-740 OF CHAPTER 13 LAND USE ORDINANCES

Short Title: An ordinance regarding Seasonal Certificates of Occupancy for Mobile Homes.

The City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11 (1) does ordain the following:

Section 1: Sec. 13-740 of Chapter 13 Land Use is amended to read:

3. Mobile Homes Built Before June 15, 1976, or Not Built According to the National Manufactured Housing Construction and Safety Standards Act of 1974, US Code, Title 42, Chapter 70.

H. Roof Loads.

1. All homes with roofs added after construction shall require a Maine Registered Professional Engineer to inspect the roof to determine that the roof can withhold seventy (70) pounds per square foot.
2. This roof requirement may be waived by the Code Enforcement Officer for trailers to be occupied seasonally for housing of agricultural workers in federally approved migrant worker programs no earlier than April 15 and no later than October 31 each calendar year providing all other requirements of this ordinance are met.
3. The Code Enforcement Officer shall issue a Certificate of Occupancy annually in such cases listing the period of time the Mobile Home is allowed for occupancy.

This ordinance, being introduced on _____, 2013 and a public hearing being held on _____, 2013 was duly passed by the City Council of the City of Caribou, Maine, this ___th day of _____ 2013.

Gary Aiken, Mayor

Kenneth G. Murchison Jr, Councilor

Joan L. Theriault, Councilor

David Martin, Councilor

Philip J. McDonough II, Councilor

David Genthner Sr, Councilor

Aaron Kouhopt, Councilor

Attest:

Jayne R. Farrin, City Clerk



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: October 28, 2013
Re: Livestock Ordinance

During our last meeting the City Council introduce an ordinance regarding Livestock.

As Council will recall his ordinance is being recommended by the Planning Board in response to some issues that have been created from people in the R-3 Zone that live in close proximity to their neighbors and keep livestock and poultry on their property. The issue arises when someone is keeping the livestock on a parcel of land that is a quarter or half an acre.

At this point we should have the public hearing on the ordinance. After that the Council may take action on this.

Councilor _____ introduced the following ordinance:

Ordinance No. 13, 2013 Series
City of Caribou
County of Aroostook
State of Maine

**AN ORDINANCE AMENDING SECTION 13-700 OF CHAPTER 13 LAND USE
ORDINANCES**

Short Title: An ordinance regarding Livestock in the R-3 Zone.

The City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11 (1) does ordain the following:

Section 1: Sec. 13-740 of Chapter 13 Land Use is amended to read:

40. Livestock and Poultry

Conditions of keeping Livestock and Poultry:

1. Any livestock shall be kept at least 100 feet from any property line except pigs and hogs which shall be kept at least 200 feet from any property line and shall be kept at least 100 feet from any residential dwelling or water well.
2. Any poultry, shall be kept at least 50 feet from any property line.

Section 2: Sec. 13-900 of Chapter 13 Land Use is amended to read:

2. Definitions

Livestock: Domestic animals kept or raised for use or profit, such as but not limited to, cattle, horses, sheep, elk, deer, buffalo, goats or pigs, that are typically kept outside of the home.

Poultry: Domestic animals kept or raised for use or profit, such as but not limited to, ostrich, emu, chickens, ducks, turkeys, geese, pigeons, or pheasant that are typically kept outside of the home

This ordinance, being introduced on October 15th, 2013 and a public hearing being held on October 28th, 2013 was duly passed by the City Council of the City of Caribou, Maine, this ___th day of _____ 2013.

Gary Aiken, Mayor

Joan L. Theriault, Councilor

Philip J. McDonough II, Councilor

Aaron Kouhopt, Councilor

Kenneth G. Murchison Jr, Councilor

David Martin, Councilor

David Genthner Sr, Councilor

Attest:

Jayne R. Farrin, City Clerk



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: October 28, 2013
Re: Introduction of Chamber of Commerce Ordinance

The following ordinance has been drafted by request of the Mayor. The Ordinance would remove the Chamber of Commerce from being a department of the City effective at the end of this year.

This was discussed at the last Chamber Board meeting and there was no strong opposition from the Board.

The ordinance needs to be introduced tonight and no vote is necessary. The Public Hearing for the ordinance will be held November 25, 2013. After the Public Hearing the Council can take action on it.

Councilor _____ introduced the following ordinance:

Ordinance No. 15, 2013 Series
City of Caribou
County of Aroostook
State of Maine

AN ORDINANCE AMENDING SECTION 10-103 Chamber of Commerce

Short Title: An ordinance removing the Chamber of Commerce.

The City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11 (1) does ordain the following:

Section 1: Sec. 10-103 of Chapter 10 Planning is repealed effective December 31, 2013.

This ordinance, being introduced on _____, 2013 and a public hearing being held on _____, 2013 was duly passed by the City Council of the City of Caribou, Maine, this ___th day of _____ 2013.

Gary Aiken, Mayor

Kenneth G. Murchison Jr, Councilor

Councilor

David Martin, Councilor

Philip J. McDonough II, Councilor

David Genthner Sr, Councilor

Councilor

Attest:

Jayne R. Farrin, City Clerk

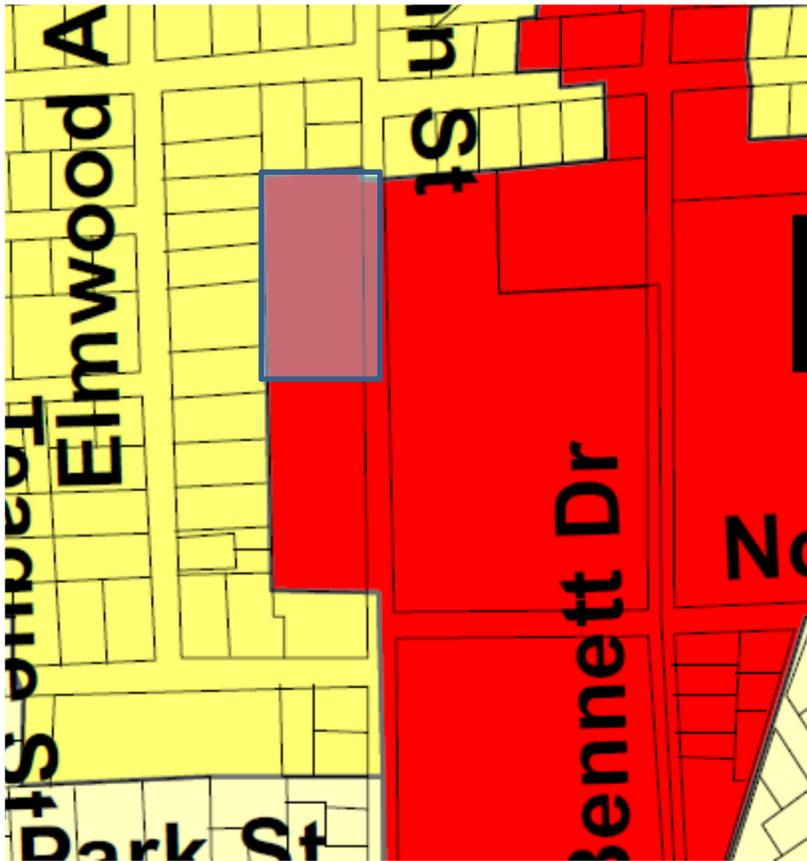


OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bless, City Manager
Date: October 28, 2013
Re: Zoning modifications

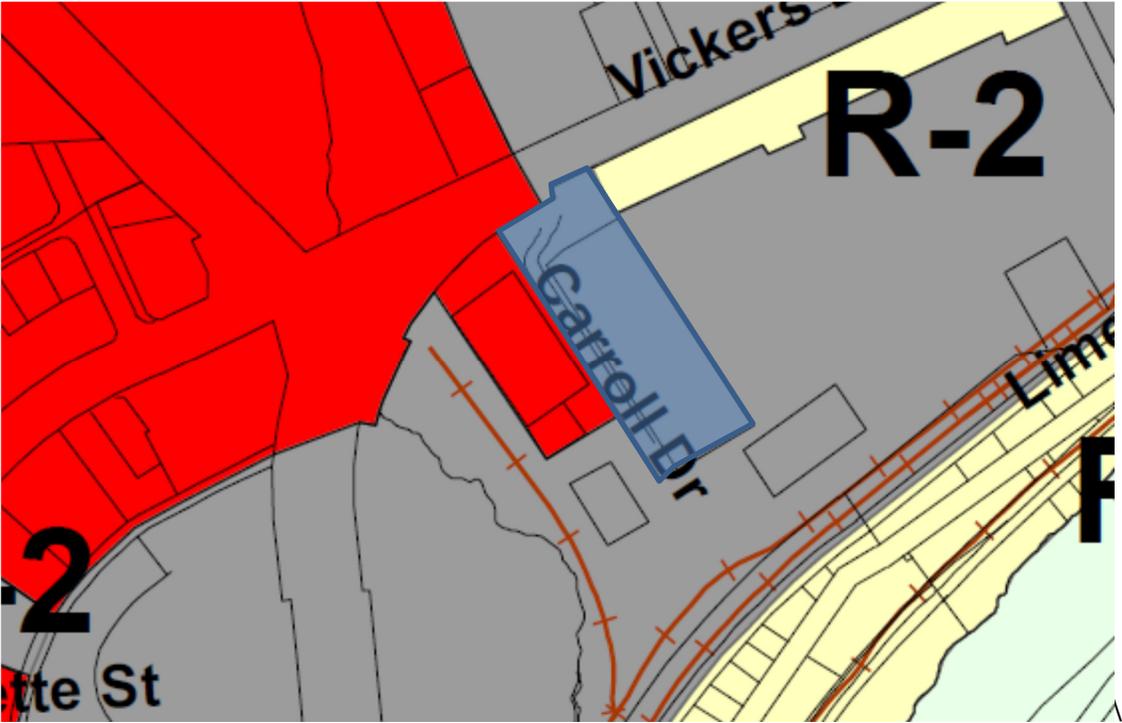
The Planning Board is proposing two modifications to the Zoning Map for the City of Caribou.

The first proposed change is for 82 Glen Street which is Lot 49A on Map 35. This lot, just north of the Bus Garage, is currently zoned C-2. It is bordered on two sides by the R-1 Residential District. On the map below the yellow shaded area is R-1 and the red shaded area is C-2. The area highlighted in blue is the area to be rezoned from C-2 to R-1.



The second area to be rezoned is 14 Carroll Street which is Map 11, Lot 5E.

Currently it is in the industrial zone, and is bordered on by a C-2 Commercial District. On the map below the grey area is Industrial, Red is C-2 and light yellow is R-2. The area in blue is the proposed change to the zoning from Industrial to C-2. This would allow conversion of a building from office space to agricultural storage.



The Planning Board has approved both changes and is recommending Council approval. This will allow the developers of these lands to make better use of the available lands and buildings with in Caribou.

As both of these properties already touch the zone they are being designated to this is not considered a spot zoning.